

Jason P. Kathman
State Bar No. 24070036
PRONSKE & KATHMAN, P.C.
2701 Dallas Pkwy, Suite 590
Plano, Texas 75093
(214) 658-6500 – Telephone
(214) 658-6509 – Telecopier
Email: jkathman@pronskepc.com

CO-COUNSEL FOR PATRICK DAUGHERTY

Thomas A. Uebler
Pro Hac Vice
Joseph L. Christensen
Pro Hac Vice
MCCOLLOM D'EMILIO
SMITH UEBLER LLC
Little Falls Centre Two
2751 Centerville Road, Suite 401
Wilmington, Delaware 19808
(302) 468-5960 – Telephone
(302) 691-6834 – Facsimile

**CO-COUNSEL FOR
PATRICK DAUGHERTY**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:

**HIGHLAND CAPITAL MANAGEMENT,
L.P**

Debtor.

§
§ **CASE NO. 19-34054-SGJ-11**
§
§ **CHAPTER 11**
§
§

**APPENDIX TO PATRICK HAGAMAN DAUGHERTY'S MEMORANDUM
OF LAW AND BRIEF IN SUPPORT OF MOTION FOR TEMPORARY ALLOWANCE
FOR VOTING PURPOSES PURSUANT TO BANKRUPTCY RULE 3018**

TABLE OF CONTENTS

Exhibit No.	Document Description	Page Number
1	Declaration of Patrick Daugherty in Support of Motion for Temporary Allowance for Voting Purposes Pursuant to Bankruptcy Rule 3018 (Redacted Pending Motion to Seal)	A00001-A00028
2	Defendants' Answer to Plaintiff's Second Amended Verified Complaint	A00029-A00099
3	Comprehensive Compensation and Benefits Statement	A00100-A00101
4	Correspondence from B. Collins to P. Daugherty	A00102-A00103
5	Highland Crusader Offshore Partners, L.P. Investor Update	A00104-A00160
6	Second Amended and Restated Limited Liability Company Agreement of Highland Employee Retention Assets LLC	A00161-A00173
7	Daugherty's Second Amended Answer, Counterclaim and Third Party Petition	A00174-A00232
8	Correspondence from J. Dondero to Wall Street Journal dated June 20, 2012	A00233-A00234
9	Ashcroft Report	A00235-A00277
10	Correspondence from T. Dameris to J. Dondero	A00278-A00285
11	Offer to Purchase Statement	A00286-A00301
12	Third Amended and Restated Limited Liability Company Agreement of Highland Employee Retention Assets LLC	A00302-A00313
13	Expense Allocation Agreement	A00314-A00318
14	Purchase Calculation of Daugherty's HERA Units	A00319-A00320
15	Assignment Agreement	A00321-A00327
16	Escrow Agreement	A00328-A00334
17	Trial Transcript from Texas Action – January 23, 2014	A00335-A00471
18	Trial Transcript from Texas Action – January 24, 2014	A00472-A00541
19	Trial Transcript from Texas Action – January 28, 2014	A00542-A00646
20	Deposition Transcript of Joshua Terry dated June 29, 2017	A00647-A00727

21	Final Judgment	A00728- A00765
22	Final Award	A00766- A00825
23	Third Party Defendant Highland Employee Retention Assets LLC's Notice of Cash Deposit in Lieu of Supersedeas Bond and Affidavit Establishing Net Worth	A00826- A00842
24	Memorandum Opinion	A00843- A00854
25	Daugherty v. Highland Capital Management, L.P., 2016 WL 4446158 (Tex. App.—Dallas Aug. 22, 2016)	A00855- A00873
26	Correspondence Related to Abrams & Bayliss Resignation (Slip Sheet Only Pending Motion to Seal)	A00874- A00894
27	Correspondence from K. Abrams to S. Ellington dated Dec. 2, 2016 (Slip Sheet Only Pending Motion to Seal)	A00895- A00896
28	Mandate	A00897- A00899
29	Plaintiff Highland Capital Management, L.P.'s Application for Writ of Garnishment	A00890- A00914
30	Correspondence from K. Abrams to B. Jameson dated Feb. 16, 2017	A00915- A00917
31	Transcript of Hearing on Motion to Compel – April 12, 2019	A00918- A00960
32	Rulings of Court on Plaintiff's Motion to Compel and Motions for Commissions Oral Argument and Rulings of the Court on Plaintiff's Motion for Status Quo Order and Defendants Motion to Dismiss Count IX of Second Amended Verified Complaint	A00961- A01058
33	Telephonic Ruling of the Court on Defendants' Motion for Reargument and Defendants' Motion for Temporary Stay of Ruling	A01059- A01090
34	Order Denying Application to Certify Interlocutory Appeal	A01091- A01104
35	Verified Amended Complaint	A01105- A01154
36	Memorandum (Slip Sheet Only Pending Motion to Seal)	A01155- A01183
37	Correspondence from M. Miller to K. Abrams dated Sept. 3, 2014 (Slip Sheet Only Pending Motion to Seal)	A01184- A01186
38	Transcript of Hearing Dated April 29, 2019	A01187- A01252
39	Highland Partnership Agreement	A01253- A01320
40	Proof of Claim	A01321- A02530
41	Patrick Daugherty's Pretrial Brief	A02531- A02606

Dated: October 23, 2020.

Respectfully submitted,

/s/ Jason P. Kathman

Jason P. Kathman

State Bar No. 24070036

Megan F. Clontz

State Bar No, 24069703

PRONSKE & KATHMAN, P.C.

2701 Dallas Pkwy, Suite 590

Plano, Texas 75056

(214) 658-6500 - Telephone

(214) 658-6509 – Telecopier

Email: jkathman@pronskepc.com

Email: mclontz@pronskepc.com

- And –

Thomas A. Uebler

Pro Hac Vice to be filed

Joseph L. Christensen

Pro Hac Vice to be filed

MCCOLLUM D’EMILIO

SMITH UEBLER LLC

Little Falls Centre Two

2751 Centerville Road, Suite 401

Wilmington, Delaware 19808

(302) 468-5960 – Telephone

(302) 6691-6834 – Facsimile

Email: tuebler@mdsulaw.com

Email: jchristensen@mdsulaw.com

**COUNSEL FOR DEFENDANT,
PATRICK HAGAMAN DAUGHERTY**